

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

August 24, 1999

IN RE:)	
)	
PETITION OF SCOTT COUNTY TELEPHONE)	DOCKET NO. 99-00454
COOPERATIVE FOR APPROVAL OF AN)	
INTRALATA TOLL DIALING PARITY PLAN)	

**ORDER APPROVING THE INTRALATA TOLL DIALING PARITY
IMPLEMENTATION PLAN**

This matter came before the Tennessee Regulatory Authority (the "Authority") on July 13, 1999, at a regularly scheduled Authority Conference, to consider the Petition of Scott County Telephone Cooperative ("Scott County") for approval of its IntraLATA Toll Dialing Parity Implementation Plan ("the Plan").

Section 251(b) of the Telecommunications Act of 1996 ("the Act") requires all Local Exchange Carriers to provide dialing parity.¹ Specifically, section 251 (b)(3) of the Act states, "Dialing Parity - The duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing, with no unreasonable dialing delays." The Act further states in sections 251(f)(1) and 251(f)(2) that a rural telephone company may file with the state commission for exemption, suspension or modification of the dialing parity requirements.

¹ Telecommunications Act of 1996, Pub. L. No. 104-104, (February 8, 1996), codified at 47 U.S.C. §§151 *et seq.*

FILE

The Federal Communications Commission ("FCC") initiated a rulemaking on dialing parity on April 19, 1996 and issued its findings in FCC 96-333 Order (Docket 96-98) adopted on August 8, 1996. This Order sets forth the criteria and guidelines for filing of a plan by all carriers. Subsequent to this Order the United States Court of Appeals for the Eighth Circuit vacated the FCC's rules, as they were applicable to intrastate services.² On January 25, 1999, the United States Supreme Court reversed certain portions of the Eighth Circuit's decision including that part of the decision which had stricken the FCC's rules pertaining to dialing parity.³

The FCC's original date for implementation, February 8, 1999, was reinstated by the Supreme Court's decision of January 25, 1999. As a result of this reinstatement, the FCC released FCC 99-54 Order (Docket 96-98) on March 23, 1999, which set forth revised implementation dates for dialing parity. This Order establishes April 22, 1999 as the new date by which all Local Exchange Carriers must file an IntraLATA Toll Dialing Parity Plan with State Commissions for approval. The Plan must be implemented within thirty (30) days after approval from the State Commission. Additionally, the Order states that the Plan must be filed with the Common Carrier Bureau of the FCC if the State Commission has not acted on the Plan by June 22, 1999.

Scott County is a telecommunications company operating under Tenn. Code Ann. Title 65, Chapter 29 as a cooperative local exchange carrier that provides telecommunications services in Tennessee. Pursuant to 47 C.F.R. § 51.213, Scott County is required to file a plan with the Authority that provides for implementing intraLATA toll dialing parity in all

² FCC v. Iowa Utils. Bd., United States Court of Appeals for the Eighth Circuit, July 18, 1997.

³ AT&T v. Iowa Utils. Bd., 119 S.Ct. 721 (1999).

exchanges served.⁴ This plan must allow customers to pre-subscribe to different carriers for local service, intraLATA toll service and interLATA toll service.⁵

Scott County filed its IntraLATA Toll Dialing Parity Implementation Plan on June 23, 1999. The Plan containing Scott County's Petition for Approval, is attached hereto as Exhibit A and is fully incorporated herein by this reference.

The Directors considered Scott County's Plan at the July 13, 1999 Authority Conference and determined that the Plan satisfies the requirements set forth by the FCC in Docket 96-98, FCC Order 96-333 and FCC Order 99-54.⁶ The Plan provides for a method that enables customers to select alternate providers of telephone toll service; a method which allows customers to choose different carriers for interLATA and intraLATA service; customer notification/education procedures; and includes a PIC change charge waiver. The Directors unanimously voted to approve Scott County's Toll Dialing Parity Plan with the requirement that Scott County comply with all applicable sections of FCC Order 96-333 upon implementation of intraLATA equal access.

IT IS THEREFORE ORDERED THAT:

1. The Plan of Scott County Telephone Cooperative for IntraLATA Toll Dialing Parity Implementation, a copy of which is attached as Exhibit A, is hereby approved and is incorporated in this Order as if fully rewritten herein;

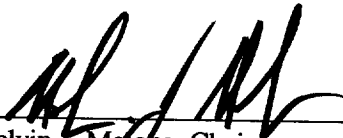
⁴ Under 47 C.F.R. §51.213, the Federal Communication Commission requires that an IntraLATA toll dialing parity plan contain: (1) a proposal that explains how the local exchange carrier will offer intraLATA toll dialing parity for each exchange that such carrier operates in the state, in accordance with the provisions of this section, and a proposed time schedule for implementation; and (2) a proposal for timely notification to its subscribers and the methods it proposes to use to enable each subscriber to affirmatively select an intraLATA toll service provider. The state commission must approve any such plan prior to implementation.

⁵ Pre-subscription allows the customer to place a call without dialing an access code.

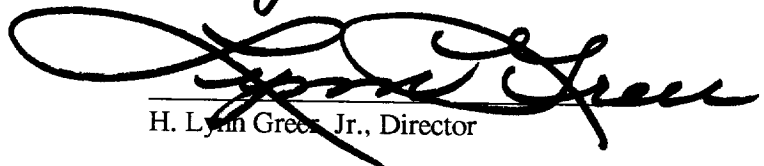
⁶ FCC Order 96-333, released August 8, 1996, sets forth the requirements for implementation of IntraLATA Toll Dialing Parity. FCC Order 99-54, released March 23, 1999, extends to June 22, 1999 the deadline for state commissions to act on a LEC's IntraLATA Toll Dialing Parity Plan.

2. Scott County Telephone Cooperative shall comply with all applicable sections of FCC Order 96-333 upon implementing IntraLATA equal access; and

3. Any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order.



Melvin J. Malone, Chairman




H. Lynn Green, Jr., Director



Sara Kyle, Director

ATTEST:



K. David Waddell, Executive Secretary

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June 18, 1999OFFICE OF THE
EXECUTIVE SECRETARYRECEIVED
ADMINISTRATIVE

JUN 22 1999

Mr. David Wadell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville TN 37243-0505

TN REGULATORY AUTHORITY

JR

Dear Mr. Wadell:

99-00454

In accordance with the Federal Communications Commission's (FCC) Order, Scott County Telephone Cooperative submits its IntraLATA Toll Dialing Parity Implementation Plan for the Tennessee Regulatory Authority's approval.

If you have any questions regarding this information or wish to discuss it further, please contact Daniel E. Odom at (540) 452-9119.

Sincerely,

SCOTT COUNTY TELEPHONE COOPERATIVE



Daniel E. Odom
Assistant Executive VP & Manager

Enclosure: \$25.00 Registration Fee

SCOTT COUNTY TELEPHONE COOPERATIVE

IntraLATA Presubscription Implementation Plan

LATA 244

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INTRODUCTION

99-00484 OFFICE OF THE
EXECUTIVE SECRETARY

In accordance with the Federal Communications Commission (FCC) Second Report and Order, dated August 8, 1996, Scott County Telephone Cooperative (SCTC) submits this Implementation Plan for intraLATA Presubscription in LATA 244.

Currently, SCTC completes all 1 + or 0 + intraLATA toll traffic, unless the caller dials an access code to route the call to a carrier other than SCTC. IntraLATA presubscription will allow customers to select their carrier for intraLATA toll calling and dial 1 + and 0 + and have their calls automatically routed to their presubscribed carrier.

IMPLEMENTATION TIMING

SCTC plans to implement intraLATA presubscription coincident with it's provision of interLATA toll services on July 1, 1999. Implementation will be done simultaneously in all central offices on a flash cut basis. SCTC will notify carriers sixty (60) to ninety (90) days in advance of the implementation date. SCTC will inform customers of intraLATA presubscription through a neutrally-worded bill insert that customers will receive thirty (30) days prior to the implementation date.

METHODOLOGY

SCTC plans to implement intraLATA presubscription using the full Two-PIC option. This will allow customers the flexibility to presubscribe to one carrier for intraLATA toll calling and to potentially presubscribe to a different carrier for interLATA calling. All intraLATA toll calls, including operator handled calls (0 + intraLATA number) and 1-NPA-555-1212 will be subject to presubscription. SCTC or an alternative local exchange carrier will handle 0 + local, 0 -, three digit calls such as 411 and 911, seven digit local calls, and usage based seven digit Expanded Local Calling Plan Calls.

CUSTOMER SELECTION PROCESS

New customers, and existing customers adding an additional line, will be asked to make a intraLATA PIC choice at the time they order service. If a customer cannot decide on an intraLATA carrier at that time or does not wish to presubscribe, they will be assigned a "no-PIC" and will have to dial an access code to make intraLATA toll calls. These customers will then have ninety (90) days to select an intraLATA carrier without being charged for a PIC change. SCTC proposes there be no balloting and allocation for existing customers' selection of an intraLATA toll carrier. All current customers will remain presubscribed to SCTC until they initiate a change of their intraLATA toll carrier. SCTC will not charge existing customers for their first PIC change made during the first ninety (90) days after presubscription is implemented.

SCTC will charge \$5.00 for an intraLATA PIC change, the same amount as the tariffed interstate PIC change and \$5.00 per line for a service order charge.

CARRIER REQUIREMENTS

All intraLATA toll carriers will be required to have a valid Access Carrier Name Abbreviation (ACNA) assigned by Bellcore. All intraLATA toll carriers will be required to have a valid Carrier Identification Code (CIC). The CIC is a four digit access identification code that is assigned by the North American Numbering Plan (NANP) Administrator for the use with Feature Group B or D Switched Access Service. The CIC is used to identify the toll provider.

All intraLATA toll carriers must have a Feature Group D (FGD) or Feature Group D-like trunk and a letter of intent on file with SCTC to be a presubscribed intraLATA toll provider. Carriers can use existing FGD trunks to carry their inter/intraLATA toll traffic when they use the interLATA CIC for intraLATA toll. Each carrier must determine if additional facilities are needed to handle the intraLATA toll traffic and then submit Access Service Requests if necessary.

SCTC will require a signed Letter of Authorization from the customer prior to the conversion of all carrier requested PIC changes.

EXCHANGE OF INFORMATION

IntraLATA toll carriers have the option of submitting business and residence PIC change requests mechanically via the Equal Access Mechanized Interface (EAMI) or manually via the Equal Access Point of Contact. Orders must be submitted in the industry-approved Customer Account Record Exchange (CARE) format.

SCTC will use the industry-approved CARE process to exchange information with participating intraLATA toll providers. This will be the same information currently provided to interLATA carriers. The existing report will be expanded to include intraLATA PIC related information. The data includes a list of all customers who sign up and disconnect from the carrier. The report is available on paper, tape, or by electronic transmission.

COST RECOVERY

SCTC does not plan to recover any incremental costs in implementing intraLATA toll parity.